

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

ARGONAUT INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	C.A. No.: 3:22-cv-390
S&F LOGISTICS, LLC	)	
	)	
and	)	
	)	
JOHN MCCOLLUM	)	
	)	
Defendants.	)	
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**MOTION FOR ENTRY OF DEFAULT DECLARATORY JUDGMENT AND RELIEF**

COMES NOW, the Plaintiff, Argonaut Insurance Company (“Argo”), by and through undersigned counsel, in accordance with Rules 55(b)(2) and 57 of the Federal Rules of Civil Procedure, moves for the entry of default declaratory judgment against the Defendants S&F Logistics, LLC and John McCollum. The Clerk of this Honorable Court entered default as to S&F Logistics, LLC on or about October 18, 2022. A Motion for Entry of Default under Rule 55(a) as to John McCollum was filed October 25, 2022, and remains pending with this Court. In support of this Motion for Entry of Default Declaratory Judgment, Argo relies upon the record in this case and the affidavits submitted herein, including particularly, that of Hope Harrison submitted in support hereof.

WHEREFORE, Plaintiff Argonaut Insurance Company, respectfully moves for entry of default declaratory judgment against both Defendants, S&F Logistics, LLC, and John McCollum decreeing that:

- (1) Argonaut Insurance Company has no duty under an insurance policy known as

AVT 1000040 00, for the policy period October 21, 2018 to October 21, 2019 (the “Policy”), to defend or indemnify Defendants S&F Logistics, LLC and John McCollum in connection with Victor Hugo Silvestre Garcia’s claims in a lawsuit styled *Victor Hugo Silvestre Garcia v. S&F Logistics, LLC and John McCollum*, Case ID No.:210800737 (the “Lawsuit”);

- (2) Argonaut Insurance Company has no duty under the Policy to pay insurance benefits to either of the Defendants in connection with the Lawsuit;
- (3) Argonaut Insurance Company has no duty under the Policy to pay any amount whatsoever to anyone whomsoever in connection with the Lawsuit;
- (4) Argonaut Insurance Company is awarded all such other and further relief that the Court deems appropriate and just.

Respectfully Submitted,

ARGONAUT INSURANCE COMPANY  
By Counsel,

**FRANKLIN & PROKOPIK, P.C.**

/s/ James R. Harpold  
James R. Harpold (VSB No. 74967)  
FRANKLIN & PROKOPIK, P.C.  
2325 Dulles Corner Blvd., Suite 1150  
Herndon, Virginia 20171  
Telephone: 703-793-1800  
Facsimile: 703-793-0298  
[jharpold@fandpnet.com](mailto:jharpold@fandpnet.com)

*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing *Motion for Entry of Default Declaratory Judgment* was served via first-class U.S. mail, postage pre-paid, this 10th day of November 2022 upon the following:

S&F Logistics, LLC  
c/o Ronald Zubieta, Registered Agent  
15476 Nelson Hill Road,  
Milford, Virginia 22514

S&F Logistics, LLC  
16360 Industrial Drive  
Milford, Virginia 22514

John McCollum  
27465 N. Sandgate Road  
Mechanicsville, Maryland 20659

/s/ James R. Harpold  
James R. Harpold, (VSB No. 74967)  
FRANKLIN & PROKOPIK, P.C.  
2325 Dulles Corner Blvd., Suite 1150  
Herndon, Virginia 20171  
Telephone: 703-793-1800  
Facsimile: 703-793-0298  
[jharpold@fandpnet.com](mailto:jharpold@fandpnet.com)

*Counsel for Plaintiff*